

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

HILARIE BURSTEN, §  
*Plaintiff,* §  
§  
v. § Civil Action No. 4:24-cv-196  
§  
CHRISTIE CANNON REALTY TEAM, §  
INC. AND CHRISTIE CANNON, §  
INDIVIDUALLY, §  
*Defendants* §

JOINT REPORT OF RULE 26(f) ATTORNEY CONFERENCE

Plaintiff Hilarie Bursten (“Plaintiff”) and Defendants, Christie Cannon Realty Team, Inc. and Christie Cannon, individually, (“Defendants”) file this Joint Report of Rule 26(f) Attorney Conference pursuant to this Court’s Order Governing Proceedings dated April 30, 2024.

Plaintiff’s Counsel and Defendants’ Counsel conferred on June 3, 2024, in compliance with the Court’s Order. The Parties discussed the matters specified by the Court’s Order and also conferred concerning the preparation of this report.

- 1. A statement detailing the date on which the Scheduling Conference was held, the location of the Scheduling Conference, the names of the attorneys present, a statement on whether meaningful progress toward settlement was made, and a statement on the prospect of settlement-without disclosing settlement figures.**

The Scheduling Conference was held via telephone between Katie Beaird and Doug Welmaker on June 3, 2024. Other attorneys on the call included Shane Thomas.

**2. A brief statement of the claims and defenses.**

Plaintiff is a former employee of Defendants. Plaintiff alleges that Defendants violated the Fair Labor Standards Act (“FLSA”) by failing to pay Plaintiff in accordance with the guarantees and protections of the FLSA. Plaintiff alleges that she is a non-exempt lead generator in accordance with the guarantees and protections of the FLSA. Further, Plaintiff alleges Defendants failed and refused to pay her at time-and-one-half her regular rate of pay for all hours worked in excess of forty hours within a work week.

Defendants deny Plaintiff’s allegations and state Plaintiff’s claims under the FLSA are barred in whole or part to the extent the work performed fell within exemptions, exclusions, or credits provided by the FLSA.

**3. A proposed time limit to amend pleadings and join parties.**

The parties propose a deadline to amend pleadings and join parties of December 26, 2024.

**4. A proposed time limit for dispositive motions (*e.g.*, summary judgment).**

The parties propose a deadline to file dispositive motions of November 4, 2024. The parties propose a deadline to file responses to dispositive motions of November 18, 2024.

**5. A proposed time limit for initial designation of experts and responsive designation of experts.**

Plaintiff’s deadline to designate expert and produce reports for any testifying expert is November 26, 2024. Defendant’s deadline to designate experts and produce reports for any testifying expert is December 26, 2024. The deadline to designate rebuttal experts and produce reports for any testifying experts is January 9, 2025.

**6. A proposed time limit for objections to experts (*e.g.*, *Daubert* and similar motions).**

The parties propose a deadline to file objections to experts of February 9, 2025.

**7. A proposed plan and schedule for discovery, a statement of the subjects on which discovery may be needed, a time limit for completing factual and expert discovery, and a statement of whether discovery should be conducted in phases;**

The parties agree that the subjects on which discovery may be needed include:

- Plaintiff's employment;
- Plaintiff's job duties;
- Plaintiff's correspondence regarding hours worked; and
- The damages Plaintiff alleges.

**8. A statement on whether any limitations on discovery need to be imposed, and if so, what limitations.**

The parties do not anticipate limitations on discovery needed outside of the Federal Rules of Civil Procedure.

**9. A statement on how to disclose and conduct discovery on electronically-stored information ("ESI") and any statement on disputes over disclosure and discovery of ESI.**

The parties will conduct produce ESI in the format it was received, stored, or in another reasonably usable format. When native formats are required, such ESI will be produced in native format with metadata removed.

There are currently no disputes over disclosure and discovery of ESI.

**10. Any proposals on handling and protection of privileged or trial-preparation material that should be reflected in a Court Order.**

The parties will submit an agreed protective order.

**11. A proposed trial date, the estimated number of days for trial, and whether a jury has been demanded.**

The parties propose a trial date of March 11-13, 2025, 3 days for trial, and a jury has been demanded.

**12. A proposed mediation deadline.**

The parties propose a mediation deadline of February 11, 2025.

**13. A statement on when and how disclosures under Fed. R. Civ. P. 26(1) were made or will be made.**

Fed. R. Civ. P. 26(1) disclosures will be made by June 17, 2024, via electronic service.

**14. A statement on whether the parties will consent to a trial (jury or bench) before a United States Magistrate Judge.**

The parties do not consent to a trial before a United States Magistrate Judge.

**15. Whether a conference with the Court is desired, and if so, a brief explanation why.**

A conference is not desired.

**16. Any other proposals on scheduling and discovery that the parties believe will facilitate expeditious and orderly preparation for trial and other orders that the Court should enter under Fed. R. Civ. P. 16(b), 16(c), and 26(c).**

None.

/s/ Douglas B. Welmaker (\*w/permission)

06/03/2024

Douglas B. Welmaker

Date

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/s/ Katie Beaird

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06/03/2024

Date

*Attorneys for Defendants*